p21

G. R. S. 58]

Previous references.

1899
~~191~~ .
(Municipal)

File No. 118 of 99

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. / 55

~~Part B~~ for July 1901.

SUBJECT.

Claim of Galagalli Gururaya char for certain sites in the Municipality of Shimoga

---

In lieu

Narasimha Rao

W D 1351—GPB—20,000—18-12 15

L 1375

Vernacular papers re the vacant site granted to Galagalli Gurunayachen of Shimoga

Gurunayachen's Applⁿ of 20th Feb 1878 (Sl. 4)

On the 20th Febʸ 1878 one Galagalli Gurunayachen applied for certain vacant building site in Shimoga town for the purpose of building a temple, a dharma-sala and a house. The application runs thus:—

"× × × ×

I have thought of building an Anjaneya temple on the site of the Government who to order the grant of it to me free of cost instead of selling it by public auction. I shall build a temple on it if they do not consent to give it free of cost

purchase it if the same be ordered to be sold by public auction to a temple, a Dharmasala, and a house have to be built on it soon I pray for early orders."

[The petitioner first of all applied for a site measuring 115 × 45. Afterwards he asked for more viz 125×83 on the ground that 115×45 was not enough for the purpose]

2 The Joint Board submitted the application with their recommendation for the Divisional Commr's orders.

3 Thereupon the Dy Com called for a plan showing the temple the petitioner intended to build, and enquired how many "Bidavas" could be built on the site and for what people of what caste was the petitioner going to

Order No 103 of 31-10-78
(Sl. 3/1 & 3/2)

to make them available

Asstt's report 16-5-9 17-12-78

4 The Assistant submitted a plan and a report. He stated that 5 or 6 Bidarao could be built on the site available after building the temple, and that the petitioner's idea was that they were for the use of the Brahmins only

By Comr's order No 159 93-3-79

5 On March 1879 the Dy Comr ordered that the petitioner should be put in possession of the site, that a time should be fixed and that the petr should be informed by a notice that buildings as per plan should be erected within the time prescribed. He also directed the Assistant that a patta should be submitted for signature clearly defining therein the boundaries of the site, and that a report should be made to

the petitioner having erected the buildings in the manner agreed to by him

6. There is a note on Sl no $\frac{3}{7}$ to the effect that Guruvayachen should be called upon to build within a period of four months. ~~Boobathi is not appointed~~

Sl $\frac{3}{7}$

7 No report seems to have been submitted by the Amildar for the petitioner having completed the buildings till April 1887, when one Venkataramana Sastri petitioned the Vice-President, stating that certain land belonging to him had been acquired by the Munsiff promising to give him another site in lieu thereof and requesting that he might be given the ~~front~~ strip of land lying to the North of Guruvayachen's house and to the East of the Anjaneya temple.

(Sl 5)

Thereupon the Dy Commr

By Court's order No. 70 of 29-5-87 (Vol 5/1)

called for a report as to whether the site belonged to anybody, and if not, whether it might be given to petitioner

Gurunayacher's statement of 9-1-88 (Pl 5/2)

9 Galagali Gurunayacha claimed the site as his, and as having been in his possession and enjoyment for 10 years. He stated as follows:- "Some 10 years ago in Major Hill's time it was given to me as an inam. I have built a house for me to live in, and a temple on ~~the east side~~ it. I am making arrangements to build a Dharmasala for the use of travellers. As I went on pilgrimage there was some obstruction in building the Dharmasala"

10 A statement was also taken from the neighbours viz

who deposed to the following effect:- " The site applied for by Venkatramana Sastry was granted to Guruvayachar free of cost for the purpose of building a temple, a Dharmasala and a house. He has built a house and a temple and he puts up there. He is making preparations to build a Dharmasala. He has sunk a well on the site"

Ex. 5-2

~~The Sub-Judge, in submitting the above statement, reported~~

// Guruvayachar, when asked again to explain why he did not build the Dharmasala and satisfy the conditions under which the site was given him stated as follows:-

Guruvayachar's statement dt 1-2-88

" I did not stipulate for building within a fixed time. Anyhow I took the site for building a temple, Dharmasala house &c. A temple and a house

Ex. 5-3

house have already been built there. Dharmasala has not yet been built" ×—×—×

12 The Amildar submitted the above statements to Dy Comr for orders.

13 Thereupon the Dy Comr asked the Amildar to ascertain from Gurusayachen in how many days he was going to build the Dharmasala.

14 The Dy Comr's order & the plan were shown to Gurusayachen. He admitted that the construction of a Dharmasala remained undone, stated that he had borrowed and asked for a year's time, promising to build the Dharmasala within that period

15 Although that time expired he made no attempt to build On the 7th Nov 1889 time

Dy Comr order 530 of 9-2-88
Ex 5/9

Ex 5/5 & 5/6.

original =
ಶ್ರೀ ಜಿಲ್ಲಾ ಸಾಲ ನಿರ್ವಹಣಾ ಅಧಿಕಾರಿಗಳವರು ಶಿರಸಿ
ಅಧಿಕಾರಿಗಳು

Gurusayachen's statts :-
of 14-2-88 & 29-3-88

Order 160 of 20-8-89
Ex 5/11

Board resolved to give him another two years time Again he failed to build the Dharmasala. On 4th August 1893 the Board resolved that a final chance be given him till the end of the official year i.e 30th June 1894, for the construction of the house* keeping the place clean in the meantime and that on his failure to comply with the order within the time given, the site with all the buildings be absolutely resumed by the Municipality."

(Pl No 5/11)

(Pl 14 and 9)

*viz Dharmasala

~~On the 22nd 24th Sept. 1894 the Auditors reported that Boorsangadoo built~~

16. On the 24th Sept. 1894 the Auditor reported that

Smith's report of 24-9-94 Pl 14/2

Gowrayachar did not build the Dharmasala although the time given him had expired and that the site was in the same state as it had been before the notice was given to him.

Boards Resln dt 29-11-94 Pt 13

17 The Board, therefore, resolved to resume the whole site with the temple & the house on it. Gowraya-chetty raised objection to such resumption and deposed to the following effect

~~a Dharmasala with a temple &~~ a ~~Dharmasala~~ site.

Gowrayachars statt dt 15-3-95.

"I have built a temple and a house on the said site. Recently I have built 6 Ankanams of Dharma-sala. It is still incomplete more still remains some work needs to be done

it useful for travellers after the summer season is over. There is a pit in the site. It was dug by Govt. The Govt should fill in that pit. Afterwards I shall raise a compound wall and maintain a Tulasi* garden there. + + × + »

* This is the only place where Ramanayadan states that he wishes a Tulasi garden.

18. Thereupon the Board finally resolved as follows:— « That the portion of the site in which a well has been partly dug be vested by the municipality and filled in with earth as early as possible. The remaining portion of the site in which a small temple and a house have been built be given to Balagabbi Ramanayadan on condition that he keeps the premises in good

Board's Resolution
27-4-95
Ex No 17

good condition for the benefit of the people and does not alienate it in any way, and on failing to comply with these conditions the site be summarily resumed by the municipality

19. Subsequently darkhasts were received for the portion of the site reserved by the municipality. On the 8th July 1899 it was put up for sale and was knocked down to Vellore Ramarao for Rs 2207-

Sls: 21, 22 & 25

Sl. $\frac{25}{6}$ & $\frac{25}{7}$.

[Note:- Sl 23 is a plan submitted by the Amildar, and shows the site applied for by Darkhastdars. It measures 87 x 36, and corresponds to the portion allotted for flower and Tulasi plants

Sl 23 & $\frac{3}{6}$

i in the original plan (vide
Ex. Pl. 3/6) in this plan No 23
& 2 is stated to represent
a Dharmasala This may,
perhaps refer to 6 Arkasams
of Dharmasala which Sri-
Chinnayachari deposed as
having recently built on
the site given to him]

20. Thereupon Sriniraya- Pls 26 & 27
chari petitioned the
Amildar and the Dy: Coms.
praying for the cancellation
of the sale of the site
originally granted to him
free of cost The Amildar
and the site examined
by the Mr. Overseer, when
the panchayats stated
as follows:-

Statement of
panchayats Dy 11-8-99
Pl. 25/2

We saw the Anjaneya
temple and the vacant site
near

near it The walls have
not yet been plastered nor
there is a crack in a
wall. There is manure and
rubbish in the varandah of
the Dharmasala. The tiles
are not in good order the
place is in a very filthy
condition. If this were to
continue the house will
collapse There is a "Kally"
hedge by the side of the
road " " " "

Amildar's report 18-8-99
HE 33

1. The Amildar in
submitting the statement of
the panchayats reported
that he ~~ex~~ subsequently
examined the site in fe
-rence and found the state
-ment of the panchayats t
be true

petitioner.

2nd The Dy Comr, in rejecting the petition of Gurucayachen observed as follows - "As Gurucayachen stipulated for building musafarkhana by the side of the two roads, the site was given him free of cost. Even now he has built on a fourth of the site. The fact that the remaining portion is left vacant undoubtedly amounts to a failure on his part to comply with the conditions. Besides, he had agreed to form a Sulasi garden on the site sold by auction. Till now he has not fulfilled that condition either. The petitr states that Govt understook to sink a well on the site obtaining his consent for doing so

Dy Comr's order of 31-10-99

8ℓ 27

doing so, and that some work was done during Mr. Vengatavaradiengar's time There is no record whatever to that effect. The several petitions asking for time amount to the petitioner having admitted his failure to comply with the conditions On the 29th Decr 1894 the Board resolved to resume the entire site given to petitioner, as he did not build thereon even though he had been given ever opportunities for doing so On his representation, the Board re-considered their resolution of the 29th Decr and resumed only the portion of the site sold by auction.

+ + + +

As, under the above circumstances there is not the least doubt for the petitioner having ....

The papers, of which the above is a full precis, show that in 1879 a site was given to the petr. Purushagachar free of cost on the understanding that he was to build thereon a temple of Anjaneya, a dharmasala for Brahman travellers, and a house for private residence. The reference in deposition of later date to his intention to maintain a tulasi garden on a portion of the site cannot, perhaps, be fairly construed as an additional undertaking on the petr's part. Of the other three items, the petr. has admittedly constructed the temple and the house; and it would even appear, not merely from his own assertions, but also from the testimony of a panchayat convened on the 11th August last, and the plan in el. no 23, that there was some sort of a dharmasala in existence on the site, though it was not being kept in good order, and was pre-emptible.

A portion of the site was, however, assumed by the Municipality in April 1895, and the same has recently been sold to another person. The petr. appeals against the resumption and pale.

Subd to Secy. for order — 22-3-00

Secy Board. 23/3/00

Rs 6.30 Rec.
23.3.900.

Put up the usual cases. Meanwhile please ascertain whether the land resumed from petr. was part of the site on which he was allowed to build the temple, etc. mentioned in the papers.

74

* resumed [illegible] place as per [illegible] was in 1895 -

Before the Government of Mysore.

Appeal No. 15 of 1899-1900.

Appellant.	Vs.	Respondent.
Galagalli Gururajachar of Shimoga		Nabbur Ramachar of Shimoga

Subject :- Appeal against the order of the President of Municipalities, Shimoga District, declining to restore to the appellant portion of a land at Krishnarajapur, included in the Shimoga Town Municipal limits, once granted to him for the purpose of building a temple, a dharmasala and a house but subsequently resumed and sold by the Municipality to the Respondent for building purposes.

Posted for hearing on 25th October 1900

Adjourned to 13th December 1900.

Notices not served. Parties not present. Adj^d to 11th March 1901.

Notices not returned

Adj^d to 8-4-01.

Reposted for hearing on 3-6-01.

Appellant's son Pranadasachari present

Respondent absent reported death

The President of the Municipality resumed a part of the land granted to the appellant and sold it to the respondent. The appellant was found to have not fulfilled the

Central Jail Press, Bangalore.—7-7-99.—302.

the terms of this grant. We
don't think see reason
to interfere with this order
appeal dismissed
18/6/901. M Jagadeesan

18/6/901

Before the Government of Mysore.

Appeal No. 15 of 1899-1900.

Appellant.	Vs.	Respondent.
Galabalti Gurunagathar of Shimoga		Nallur Ramachar. (since deceased)

26-10-00

Rd. 10/12/00
795

adjourned to 13-12-00

13-12-00
Notices not served
Parties not present.

adjourned to 11th March 1901
Hrs.

14/12/00

11-3-1901.
Notices not returned
Adjd. to 8-4-01.
Adjd. to 3-6-01.
Notices served
Both parties ~~present~~ absent.
* Adjourned to 3-6-01.

* Adjourned to 17-6-01.
Notices ~~Served~~ on the house
1) as Gurunayachar ~~dead~~.
His son Pranadasachar is
Receiving in Bangalore
Channaveeraiah
2) Respondent deceased.
Parties informed on his
brother Doddanna char

3/6/01

Central Jail Press, Bangalore,—7-7-99.—302.

Adj^d to 18th

21/5/04

18/6/04

Appellt. dead

Appellt's Son present (Ramanathachar)

Resp^t reports the deceased

Appeal dismissed

16/7/04

Refer

19/12/99

To Records for refer. Issued 118 of 99

M.R. 19/12/99 Reference petition

20/12/99 20/12/99

Issued stamps affixed. Stamp fixed

Pl. Resident's order - complained of - is dy 31/10/99 — Time

Transferred to the Local Boards Branch

by

Asst. Secretary

21-12-99

Submitted may this be forwarded to the President for report.

Dng 4.1.00

H V K Dng 6-1-00

Draft'd H V K

6.1.00

1899

No. 1161

Name of Petitioner Galagali, Guru Rayachar.

Village } Residing in
Taluk } Shemoga.
District }

Date of Arzi 8-12-99

Date of Receipt 14-12-99.

Date of Disposal

No. of Enclosure One.

ABSTRACT

Appltr. Gururaya char. (Petnr.)

Respdt. Nallur Ramachar, Krishnarajapur, Shem

Appeals against the order of the Dy. Commr. and Municipal President, Shemoga No. 1149 dy 31-10-99, which runs as follows:—

"Dewan's office Memorandum No. 1538 dy 24-2-96, forwarding for disposal petn No. 1777 13-11-95 & 2723 dy 31-1-96, Complaining about the resumption of certain lands in

marajapur, Honnoga,
by the municipality, which
were given to you gratis, for
the purpose of sinking a well
etc; & your petn No. 500 of 3-8-99
to this office were perused.

In 1878, as he (petn) agreed
to build a Dharmasharkhana
for Brahmins, so as to adjoining to
both the roads, the lands were
given to him gratis as per
the Municipal Board, Re-
gulation of 23-9-78 & 4-1-79.
As he has raised the building
in only one-fourth of the ground
given to him, there is no
doubt that he has failed
to act up to his agreement.
He was asked to plant Tholasi
in the ground now sold, which
he did not do. There is no
evidence to shew that dur-
ing the then Dy. Commr., Sub
Venkatanarasingiyar's time,
with the consent of the
promised to sink
well for him and com-
menced work, for the pious

Petn No. 1161 of 1899-1900.

As the petr was always asking for time, it is plain that he has failed to keep up his agreement to. On 29-12-94 a resolution was passed by the Board, resuming the whole land. As the petr complained much, the former resolution was modified and the sold portion was alone resumed, as per Resn of 27-4-95. The appeal is against this resolution. The above pit (beginning of the well) was filled up by Govt, after it was resumed and the land was sold as there was darkness for it. As the agreement is not fulfilled, the resumption is perfectly right. There are no reasons to alter the same. So the petn is rejected"

Veshwaraiahar Thomas

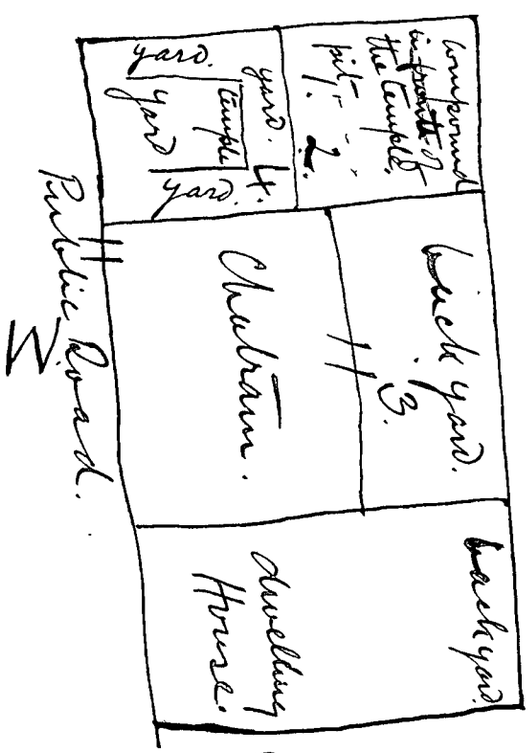
The petnr. States that the land sold by the municipality, was given to him gratis only for building a chatram, a temple & his dwelling house and not for planting Tholasi, sinking a well &c; that he has fulfilled his agreement, though he applied for time ofte., as he has erected the buildings within that time for which alone he was asking for time; that there was no agreement to the effect that he should plant Tholasi &c, but the petnr. himself wanted to do so on his own accord for the use of the travellers; that the portion, now sold by the municipality was purposely left vacant by the petnr. for the travellers to leave their carts, tie their horses bullocks &c; That if the pit was for sinking a well was not dug by Govt.

Petn No 1161 of 1899-1900

There was no necessity for it to fill that up again & in case it had to be filled up as the land was his, the Govt ought to ~~should~~ have asked the petr to do so, or at least should have taken his consent; that according to the last proceedings (perhaps the last municipal Resn of 27-4-99) only the portions marked 1 & 2 in the plan (in the margin) were resumed and not those marked 3 & 4; that the municipality is wrong in selling 30×3 yds in No 4 and 12×12 yds in No 3 in the plans; That land No 1 & 2 in the plan, was a big pit when it was given to him & he has spent some 100 or 150 Rupees

N.

Public Road.



W.

Public Road.

E

Srinivasa Rao's house.

Ranga Rao's house.

S

bringing it to proper shape;
that from the year 82 to 84
the land was left vacant,
a portion of the well was sunk
& stones were also accumulated,
which were sold eventually;
that no intimation was given
to him previous to the sale,
as he came to know of it
afterwards he gave petn &
that as the petr is not
at all to blame,
prays that the land may
be restored to him & that
the respts may be ordered
not to erect any buildings
&c there pending disposal.
(that he would bring the
records he has got with him
when the date of hearing is
made known to him.)

Sne. order appealed
against.

SM
18/12/82.

1161 R
14-12-98

Typed
14.12.98

ಕಾಲಿಗೆ ಬಿದ್ದು ಕಣ್ಣೀರಿಟ್ಟು ಕೈಮುಗಿದು ಬೇಡಿಕೊಂಡರೂ ಅವಳ ಮನಸ್ಸು ಕರಗಲಿಲ್ಲ. ಅವಳು ಅವನನ್ನು ಕ್ಷಮಿಸ

ಸಂಖ್ಯೆ: ಬಿಸಿಎಂ/ಅಂಬೇಡ್ಕರ್ ಭವನ/ಸಿಆರ್-೧೨೩/೨೦೨೩-೨೪

ಕೊಪ್ಪಳ ತಾಲೂಕಿನ ಹಿಟ್ನಾಳ ಗ್ರಾಮದಲ್ಲಿ ಅಂಬೇಡ್ಕರ್ ಭವನ ನಿರ್ಮಾಣಕ್ಕೆ ಜಾಗ ಗುರುತಿಸಿ ಮಂಜೂರಾತಿ ನೀಡುವ ಕುರಿತು

ಕೊಪ್ಪಳ ತಾಲೂಕಿನ ಹಿಟ್ನಾಳ ಗ್ರಾಮದಲ್ಲಿ ಅಂಬೇಡ್ಕರ್ ಭವನ ನಿರ್ಮಿಸಲು ಸರ್ಕಾರಿ ಜಾಗ ಗುರುತಿಸಿ ಮಂಜೂರಾತಿ ನೀಡಲು ಕೋರಿ ಗ್ರಾಮದ ಪರಿಶಿಷ್ಟ ಜಾತಿ ಮುಖಂಡರು ಸಲ್ಲಿಸಿರುವ ಮನವಿ ಪತ್ರ ದಿನಾಂಕ ೦೩-೦೨-೨೦೨೩ ಹಾಗೂ ಈ ಕಚೇರಿಯ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ: ಬಿಸಿಎಂ/ಅಂಬೇಡ್ಕರ್ ಭವನ/ಸಿಆರ್-೧೨೩/೨೦೨೩-೨೪ ದಿನಾಂಕ ೧೫-೦೨-೨೦೨೩ ರ ಕುರಿತು.

ಮೇಲ್ಕಂಡ ವಿಷಯ ಮತ್ತು ಉಲ್ಲೇಖಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಹಿಟ್ನಾಳ ಗ್ರಾಮದ ಪರಿಶಿಷ್ಟ ಜಾತಿ ಸಮುದಾಯದವರು ಸಭೆ ಸೇರಲು ಮತ್ತು ಸಾಮಾಜಿಕ ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ನಡೆಸಲು ಯಾವುದೇ ಸಮುದಾಯ ಭವನ ಇಲ್ಲದಿರುವುದರಿಂದ ಅಂಬೇಡ್ಕರ್ ಭವನ ನಿರ್ಮಿಸಲು ಸರ್ಕಾರಿ ಜಾಗ ಗುರುತಿಸಿ ಮಂಜೂರಾತಿ ನೀಡಬೇಕೆಂದು ಕೋರಿ ಸಲ್ಲಿಸಿರುವ ಮನವಿಯನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿದೆ.

ಈ ಕಚೇರಿಯ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ: ಬಿಸಿಎಂ/ಅಂಬೇಡ್ಕರ್ ಭವನ/ಸಿಆರ್-೧೨೩/೨೦೨೩-೨೪ ದಿನಾಂಕ ೧೫-೦೨-೨೦೨೩ ರಲ್ಲಿ ಹಿಟ್ನಾಳ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ. ೪೭ರಲ್ಲಿ ೨ ಎಕರೆ ಸರ್ಕಾರಿ ಜಾಗವನ್ನು ಗುರುತಿಸಿ ಅಂಬೇಡ್ಕರ್ ಭವನ ನಿರ್ಮಾಣಕ್ಕೆ ಮಂಜೂರಾತಿ ನೀಡಲು ಕೋರಿ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ ಪ್ರಸ್ತಾವನೆ ಸಲ್ಲಿಸಲಾಗಿತ್ತು. ಆದರೆ ಸದರಿ ಜಾಗದಲ್ಲಿ ಈಗಾಗಲೇ ಅಂಗನವಾಡಿ ಕೇಂದ್ರ ಮತ್ತು ಸಮುದಾಯ ಆರೋಗ್ಯ ಕೇಂದ್ರದ ಕಟ್ಟಡಗಳು ಇರುವುದರಿಂದ ಅಲ್ಲಿ ಭವನ ನಿರ್ಮಿಸಲು ಸಾಧ್ಯವಿಲ್ಲವೆಂದು ತಹಸೀಲ್ದಾರರು ವರದಿ ನೀಡಿದ್ದಾರೆ.

ಆದ್ದರಿಂದ, ಹಿಟ್ನಾಳ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ. ೧೨೨ರಲ್ಲಿ ೨ ಎಕರೆ ಸರ್ಕಾರಿ ಜಾಗವನ್ನು ಅಂಬೇಡ್ಕರ್ ಭವನ ನಿರ್ಮಾಣಕ್ಕೆ ಮಂಜೂರು ಮಾಡಲು ಜಿಲ್ಲಾಧಿಕಾರಿಗಳಿಗೆ ಪ್ರಸ್ತಾವನೆ ಸಲ್ಲಿಸಲಾಗಿದೆ. ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಮಂಜೂರಾತಿ ನೀಡಿದ ನಂತರ ಭವನ ನಿರ್ಮಾಣಕ್ಕೆ ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗುವುದು.

ಸಹಾಯಕ ಆಯುಕ್ತರು, ಕೊಪ್ಪಳ

ಕಾಲಿಕ ಕಾಲಿಕಾಧಿಕಾರಿಯವರ ಕಛೇರಿ — ಸಮಯಾವಧಿ

ಕೆಲ — ಅಭಿವೃದ್ಧಿಯಲ್ಲಿ ಮಾಡಿಕೊಳ್ಳಲು

(ಬ) ಅಧಿಕಾರಿಯವರ ಕಛೇರಿಯಲ್ಲಿ
ಕರ್ತವ್ಯ ನಿರ್ವಹಣೆಯಲ್ಲಿ ಅಭಿವೃದ್ಧಿ
ಸಾಧಿಸುವುದಕ್ಕಾಗಿ ಅಧಿಕಾರಿಯವರ
ಮೇಲ್ವಿಚಾರಣೆಯಲ್ಲಿ ಅಧೀನ
ಕರ್ತವ್ಯಾಧಿಕಾರಿಗಳಲ್ಲಿ
ಕಾರ್ಯಾಲಯದಲ್ಲಿ ಅಧಿಕಾರಿಯವರ

ಸಂಖ್ಯೆ

ಸಂಖ್ಯೆ

ಸಂಖ್ಯೆ

8125 dt 17/1/00

H. 303-96

MYSORE DEWAN'S OFFICE.

LOCAL BOARDS BRANCH

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition

Registered No. 1161 dated 8th Dec'99

received in Dewan's Office from Agnihotra

Valapli Gururaghar of

Shimoga appealing against

the orders of the Dy Comr, Sh

moga Dist. declining to restor

to the appellant the portion of

land resumed and sold by the

Shimoga Town Munsiff, out

of the Site allotted to him in

~~is forwarded, together with its~~ for build

a ~~enclosure,~~ Munsafarkhana a

praying that the land may

restored to him and that t

purchaser thereof may be

ordered not to construct

any buildings on it, till the

disposal of his appeal, is

forwarded to the Dy Comr

Shimoga for the Munsiff, Shi

moga Dist, for report

By order,

Secretary.

BANGALORE,

15 Dec 99

16

Print

118-99

£1375
Ord 827 1
8268
26-9-00 1899. 1900.

From The Defence Committee of the Municipality

To The Secretary to the Government of Ceylon Pl. & Wks Department.

Dated 20 February 1901

Despatched

Received

General No. 732
No. 56

Enclosure No. 1 Paper

Letter reference to Govt. Official Memorandum No 8125 dated 17th Jan 1901 submitting report & plan regarding the portion of land resumed and sold by Shimoga Damodaliyar out of the site allotted in 1878 to Agricultural Society Queen's gardens of Shimoga for building a Dispensary thereon.

12

12
26 2 01

A Sketch from a plan Engd 28/12/00 Brisbane 19/3/01

the resolution passed by the Board, and granted a further period of one year to allow the petitioner to fulfil the conditions of the grant.

2. Even then the appellant did not act up to the terms of the grant and the Board again passed a resolution to the same effect, and rescinded the portion under reference. A hollow on the site was since filled up at the cost of the Municipality.

3. After this, there was an application for building on this land, and it was

sold

sold in auction and purchased
by one N. Rama chetty for Rs.
220/-

4. The records bearing on
the case are herewith submitted
together with the appeal petition
received with the Provincial

I have the honour to be
Sir,
Your most obedient Servant
H. Manjunadayya
(Deputy Commissioner &
Presidency Magistrate)

Bijapur

Before the Govt of Mysore

Present

Hon V P. Madhava Rao Esqre C.I.E.

and

C. Srinivasiengar Esqre.

Appellant — Vs — Respondent

Galagalli Gururayachar (Non Prasadappachara present) — Nallur Ramachar (absent, reported to have fled)

Subject:

Appeal against the order of the President of Municipalities, Shimoga District declining to restore to the Appellant the portion of the land resumed and sold out of the site granted

him for building
a Dharmasala,
an Anjaneyaswami's
temple and a private
house dwelling

The facts of the case are:—

In 1879, on an
application from Guru-
-rayacharya (Appellant)
the Shimoga Municipal
Board granted him,
free of cost, a site in
Krishnarajpur, Shimoga
Municipality, for build-
ing within a prescribed
time a temple for
Anjaneyaswami, a
Dharmasala for brahmins
and a house for himself.
In 1888 it was found
that the applicant
had ~~ere~~ constructed

only these temple &
the house but not
the Dharmasala
The Municipality
granted him one years
time for building the
Dharmasala warning
him at the same time
that the whole site in-
cluding the built portion
would be resumed if
he did not complete
it. The appellant failed
to do so within that
year and even up to
1894 notwithstanding
the Board's repeated ex-
tensions of time. At
last in 1894 the Board
resolved to resume the entire
site but on the protest
of the grantee they
Considering their decision
resumed a portion
of the site under con-
sideration leaving the
rest in pujaracha's
possession enjoining
him to keep the premises

in modification of

tidy. The resumed por-
-tion, after filling up
a hollow thereon, was
sold in a public auc-
-tion to N. Ramachar. and the Sale was confirmed
by the President of
Gururayachar peti- the Municipal Municipality
-tioned the Amildar to
cancel the sale and
he (the Amildar) submitted the
matter to the Deputy
Commissioner and Re-
-sident with his report.
This officer declined
to cancel the sale as
Gururayachar had
failed to comply with
the conditions of the
grant - Hence this ap-
-peal.

Decision.

The President of the
Municipality resumed
a part of the land granted
as the Appellant was
found not to have ful-
-filled the terms of the
grant. Government
do not see any reason
to interfere with this order
Appeal dismissed.

(69)

No. 216 / P.S. 3-1901 of 9.7.01.

Copy of the above is forwarded to the Deputy Commissioner, Shimoga District, with the records ~~sent~~ received with his No. 732/56 dated 22nd. February 1900.

for Secretary to Govt.
Rev. & Rev. Depts.

3/7/01

To

The Deputy Commissioner, and President, Shimoga Municipalities.

for Sub Asst. Commr.

3/7/01

Asst. Postmaster
5/7/01

Copied in the Regr.
6/7/01

F.N.
21/6/01.

ಸಂಖ್ಯೆ ಸಿಆಸ
1161-1

ದಿನಾಂಕ 9.7.1901

ಸಿಆಸ ಸಂಖ್ಯೆ 1161 ದಿನಾಂಕ 8.12.99ನೇ ಸಾಲಿನ ಆದೇಶದಲ್ಲಿ ಅಧಿಕಾರಿಗಳ ಸಂಬಳ ಮತ್ತು ಭತ್ಯೆಗಳ ಬಗ್ಗೆ ಸಂಬಂಧಿಸಿದ ಪ್ರಕರಣಗಳಲ್ಲಿ

By order

Asst.

for Secretary.

R 1161

By order

Asst.

for Secretary.